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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,462	07/07/2006	Koji Akiyama	293061US2PCT	5963
22850	7590	11/24/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
SHEPELEV, KONSTANTIN				
ART UNIT		PAPER NUMBER		
2431				
NOTIFICATION DATE		DELIVERY MODE		
11/24/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/585,462

**Applicant(s)**

AKIYAMA, KOJI

**Examiner**

KONSTANTIN SHEPELEV

**Art Unit**

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date 08/29/2006, 07/30/2006
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This office action is in response to application filed on July 7, 2006 in which claims 1-14 are presented for examination.

#### ***Status of Claims***

Claims 8-14 are pending; of which claims 8, 11, and 13 are in independent form. Claims 1-7 are canceled. Claims 8-14 are rejected under 35 U.S.C 103(a).

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Milojevic et al. (US 2003/021838 A1) in view of Dietz et al. (WO 03/084102 A1).

With respect to claim 8, Milojevic teaches the limitations of “an information device responsible for receipt of data and a first controller” and “said first information device receiving said key information” (page 1, paragraph 0014) as a receiver that resides in the electronic device to receive the locking signal and a controller coupled to the receiver and circuitry of the electronic device to virtually lock the electronic device.

In addition, Milojevic teaches the limitation of “a key device responsible for transmission of data”, “a second controller”, and “said second controller in said key device sending said key

information stored in said storage part” (page 1, paragraph 0014) as a locking signal transmitter anchored at a physical location away from an electronic device.

Further, Milojevic teaches the limitation “said first controller in said information device at least either locking said information device or releasing a lock of said information device based on said key information” (page 2, paragraph 0026) as the transmitter, when activated, sends a wireless locking signal that, when received by the device lock, causes the device lock to virtually lock the electronic device. Further, (page 2, paragraph 0031) the locking signal transmitter may also unlock the electronic device by generating an unlocking signal to the device lock. Finally, (page 2, paragraph 0031) the locking and unlocking initiation is done by an activation signal applied to the device lock.

It is noted, however, that Milojevic does not explicitly teach the limitations of using LED to transmit and receive the locking signal as well as the limitation of “a storage part for storing key information to said information device.”

On the other hand, Dietz teaches the abovementioned limitation of using LEDs to transmit and receive data (page 1, paragraph 4 from the top) as although most LEDs are designed as light emitters, and not light detectors, all LEDs can effectively operate in either mode. Furthermore, (page 6, paragraph 1 from the top) by switching between emitting and sensing modes, the LED can operate both as a transmitter and a receiver in an optical communication network.

Furthermore, Dietz teaches the limitation of “a storage part for storing key information to said information device” (page 12, paragraph 3 from the top) as the transceiver can be equipped

with sufficient memory to hold many symmetric encryption keys and can therefore be set up to communicate with a large number of other transceivers.

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teachings of Dietz into the system of Milojevic to decrease the cost and complexity of the communication system by employing one device/circuit that can act as both transmitter and receiver rather than providing multiple circuits to implement the same functionality.

With respect to claim 9, Milojevic teaches the limitation of “said information device is any one of a cellular phone, a personal computer, or a PDA” (page 2, paragraph 0032) as the electronic device can be any kind of electrical or electronic device. For example, the electronic device can be a personal digital assistant (PDA), a cellular phone, a pager, a computer, a printer, a scanner, a fax machine, a copier, a MP-3 player, a digital camera, a DVD/CD-W machine, a storage device, or another electrical or electronic device.

With respect to claim 10, Milojevic teaches the limitation of “said key device is incorporated into a portable information device” (page 2, paragraph 0026) as the locking system includes a locking signal transmitter anchored at a physical location and a device lock within the electronic device.

With respect to claims 11 and 13, they are rejected in view of the reasons as stated in the rejection of claim 8.

With respect to claim 12, it is rejected in view of the reasons as stated in the rejection of claim 10.

With respect to claim 14, it is rejected in view of the reasons as stated in the rejection of claim 10.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KONSTANTIN SHEPELEV whose telephone number is (571)270-5213. The examiner can normally be reached on Mon - Thu 8:30 - 18:00, Fri 8:30 - 17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on (571)272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Konstantin Shepelev/  
Examiner, Art Unit 2431  
/Syed Zia/  
Primary Examiner, Art Unit 2431

11/19/2008